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PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031  
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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number	09/277,575-Conf. #3748
Filing Date	March 27, 1999
First Named Inventor	Newell et al.
Art Unit	1644
Examiner Name	F. P. Vandervegt
Attorney Docket Number	V0139.70028US00

### ENCLOSURES (Check all that apply)

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	WOLF, GREENFIELD & SACKS, P.C.		
Signature			
Printed name	Helen C. Lockhart		
Date	March 2, 2007	Reg. No.	39,248

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Signature: (Emily E. Zukauskas)



Docket No.: V0139.70028US00  
(PATENT)

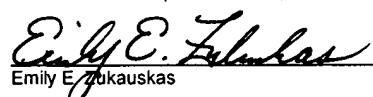
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Newell et al.  
Serial No.: 09/277,575  
Confirmation No.: 3748  
Filed: March 27, 1999  
For: METHODS AND PRODUCTS RELATED TO METABOLIC  
INTERACTIONS DISEASE (BECAME I0277/7004; AS OF 9/02  
BACK TO V0139/7028)  
Examiner: F. P. Vandervegt  
Art Unit: 1644

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Dated: March 2, 2007



Emily E. Zukauskas

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S.

filings date, OR more than three months after the date of entry of the national stage of a PCT

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application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

The Applicant would like to bring to the Examiner's attention the enclosed search report or other communication from a corresponding or other International or Foreign National Application.

<u>Serial No.</u>	<u>Mailing Date</u>	<u>Type(s) of Communication</u>	<u>Docket No.</u>
10/802,440	March 31, 2006	Office Action	V0139.70060US01
10/802,440	November 6, 2006	Office Action	V0139.70060US01
10/616,865	December 5, 2006	Office Action	V0139.70071US00
EP 99915109.5	December 4, 2006	Office Communication	V0139.70028EP00

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application

by this firm) to our Deposit Account No. 23/2825, under Docket No. V0139.70028US00. A duplicate copy of this paper is enclosed.

Dated: March 2 , 2007

Respectfully submitted,

By Helen C. Lockhart

Helen C. Lockhart

Registration No.: 39,248

WOLF, GREENFIELD & SACKS, P.C.

Federal Reserve Plaza

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

(617) 646-8000



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Substitute for form 1449/PTO				Complete if Known	
				Application Number	09/277,575-Conf. #3748
				Filing Date	March 27, 1999
				First Named Inventor	Newell et al.
				Art Unit	1644
				Examiner Name	F. P. Vandervegt
Sheet	1	of	2	Attorney Docket Number	V0139.70028US00

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-4,971,951	11-20-1990	Garcia y Bellon et al.	
		US-5,286,653	02-15-1994	Brenner et al.	
		US-6,416,958-A1	07-09-2002	Vidovic et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
		EP-0524796	01-27-1993	Efamol Holdings PLC	
		WO-9716188	05-09-1997	Merck & Co., Inc.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
		[No Author Listed] TAXOL Product Literature. Bristol Myers Squibb. 2003:1-6.			
		BERG et al., Pharmacokinetics of taxol and doxorubicin administered alone and in combination by continuous 72-hour infusion. J Natl Cancer Inst. 1994 Jan 19;86(2):143-5.			
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Examiner Signature	Date Considered
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Substitute for form 1449/PTO				<i>Complete if Known</i>	
				Application Number	09/277,575-Conf. #3748
				Filing Date	March 27, 1999
				First Named Inventor	Newell et al.
				Art Unit	1644
				Examiner Name	F. P. Vandervegt
Sheet	2	of	2	Attorney Docket Number	V0139.70028US00

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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Application No. (if known): 09/277,575

Attorney Docket No.: V0139.70028US00

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